

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

APRIL 23, 1999

(Published May 1, 1999,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

April 23, 1999 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Goodman, Colvin
Roy, Mead, McDonald, Johnson, Thurber, Ostrow,
Campbell, Biernat, President Cherryhomes.

Absent – Council Member Herron, Niland.

Campbell moved acceptance of the minutes
of the regular meeting of April 9, 1999. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers to
proper Council committees and departments.
Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264741)

1999 HOME Program: Approve budget
allocation & documents to implement the program.

MAYOR (264742)

Mpls Public Housing Authority Board of
Commissioners: Confirm reappointments of
Richard Miller & Thomas Hansen; wAttachment.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264743)

1998 Encumbrance Re-appropriation:
Appropriate \$1,842,832 in MCDA General Fund
from fund balance.

Federal Reserve Bank Project: Authorize off-
site public improvements re streetscape &
parkway improvements to W River Pkwy;
intersection improvements at 1st St & Hennepin
Ave; North Loop Bike Trail.

HEALTH AND HUMAN SERVICES:

ATTORNEY (264744)

Advertising on Bus Shelters: Report back
regarding issue of free and/or reduced rate City
advertising at bus stop shelters.

Senior Citizen Advisory Committee: Report
back regarding legal requirements of the
appointment process.

HEALTH AND HUMAN SERVICES

(See Rep):

HEALTH AND FAMILY SUPPORT
SERVICES (264745)

348-TOTS Program: Execute agreement with
Hennepin County for developmental screening
services for children ages 0-6 years for period
7/1/99 through 12/31/99.

Legal Representation: Execute amendment
#5 to agreement with Legal Aid Society of
Minneapolis to continue providing free legal
services on civil matters to low income residents
of Minneapolis for period 6/1/99 through
5/31/2000.

Community Outreach Services for Senior
Citizens: Execute amendment #6 to agreement
with Minnesota Age and Opportunity Inc to
continue providing legal assistance, transportation
and meals-on-wheels services for period 6/1/99
through 5/31/2000.

HIV Transmission: Execute amendment #1
to agreement with Minnesota AIDS Project for
community outreach and education services for
period 6/1/99 through 5/31/2000.

"Stay Alive Project": Execute agreement with
Harriet Tubman Center to provide youth violence

prevention services of period 4/1/99 through 12/31/99.

HEALTH AND FAMILY SUPPORT SERVICES (264746)

Head Start: Issue Fund Availability Notice to Parents in Community Action to continue child and family development services for low income families.

Child Care: Extend two Fund Availability Notices to Greater Minneapolis Day Care Association for additional year to utilize CDBG Year XXIV funds for loans and grants for renovations to licensed day care centers and family day care homes, and for public service sliding fee funds; and Issue two Fund Availability Notices to Greater Minneapolis Day Care Association for ongoing child care services to low income residents of Minneapolis for loans and grants for renovations, and sliding fee funds utilizing CDBG Year XXV funds.

Domestic Violence: Execute Master Contract with Harriet Tubman Center, Inc, for community outreach and education services for period 1/1/99 through 12/31/2003.

Domestic Abuse: Rescind report passed 2/19/99 executing amendment to agreement with the Domestic Abuse Project, and execute new amendment to extend contract period through 12/31/99 and provide additional \$107,692 of funding.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

LICENSES AND CONSUMER SERVICES (264747)

Lead Based Paint Hazard Reduction: Submit grant application, in conjunction with State of Minnesota, to United States Department of Housing and Urban Development seeking Round VII funding.

INTERGOVERNMENTAL RELATIONS:

COORDINATOR (264748)

New Central Library: Interim Facility Program, including description of proposed facilities and offices and where they will be located, & anticipated major service improvements.

LIAISON/FEDERAL, LOCAL AND STATE (264749)

Omnibus Tax Bill: News Release from House Speaker Steve Sviggum, Republicans promised tax cuts.

City's 1999 Legislative Agenda: Status report on various bills.

INTERGOVERNMENTAL RELATIONS

(See Rep):

COORDINATOR (264750)

Charter: Refer to Charter Commission an ordn amending Chap 3, Sec 4 of Mpls City Charter relating to Powers and Duties of Mayor, providing for terms of office of certain executive committee appointees.

PLANNING COMMISSION/DEPARTMENT (264751)

Census 2000: Approve applicants for membership on Minneapolis Complete Count Committee, Authorize submit adjusted Census Tracts & Census Block Groups to Bureau of the Census; Background report on adjusted Census Tracts.

PUBLIC SAFETY AND REGULATORY

SERVICES (See Rep):

INSPECTIONS DEPARTMENT (264752)

Rental Dwelling License at 2204 Emerson Ave N: Recommendation to approve reinstatement of license held by Russell Erkkila; with attachment—objection letter.

LICENSES AND CONSUMER SERVICES (264753)

Minnesota Food Code: Execute amendment to delegation agreement with Minnesota Department of Health to grant City time extension in order to adopt amendments and enforce provisions of 1998 Food Code.

Licenses: Applications.

MINNESOTA RETAIL MERCHANTS ASSOCIATION (264754)

Control of Shopping Carts: Letter setting forth concerns about proposed ordinance regulating carts.

PUBLIC SAFETY AND REGULATORY

SERVICES and TRANSPORTATION &

PUBLIC WORKS:

SOLID WASTE AND RECYCLING DIVISION (264755)

Graffiti: Report from Minneapolis Graffiti Task Force.

PUBLIC SAFETY AND REGULATORY

SERVICES and WAYS & MEANS/BUDGET

(See Rep):

PURCHASING (264756)

Bid: Accept bid of ARI, Inc, for vehicle maintenance program for Inspections Division.

TRANSPORTATION AND PUBLIC WORKS:

**SOLID WASTE AND RECYCLING
DIVISION (264757)**

Solid Waste Division Budget: Update on division budget status and contract for Sentence to Serve crews.

Collection Services: Details on services to owner-occupied duplexes.

TRANSPORTATION AND PUBLIC WORKS

(See Rep):

**PLANNING COMMISSION/DEPARTMENT
(264758)**

Nicollet Ave Task Force: Reappointment of members to complete study for Nicollet Ave from Franklin Ave to 62nd St.

**PUBLIC WORKS AND ENGINEERING
(264759)**

50th & France Ave Municipal Parking Lot: Establish assessment proceedings for lot expansion.

Public Works Facilities, Currie Maintenance Facility: Change order increasing contract with Knutson Construction Services.

**SOLID WASTE AND RECYCLING
DIVISION (264760)**

Recycling Trailers: Negotiate amendment to contract with ABM Equipment relative to the amount of liquidated damages.

Recycling Contract: Execute agreement with B.F.I. for processing and marketing of recyclables in City recycling program.

**TRANSPORTATION AND PUBLIC WORKS and
WAYS & MEANS/BUDGET (See Rep):**

COORDINATOR (264761)

Near Northside Development Area: Issue request for proposals for open space and infrastructure design services.

**PLANNING COMMISSION/DEPARTMENT
(264762)**

Bassett Creek Valley Area: Comparative Analysis of Potential Replacement Sites for Public Works Facilities and Operations.

**PUBLIC WORKS AND ENGINEERING
(264763)**

Hawthorne Transportation Center: Issue request for proposals for independent inspection and testing services.

Public Works Facilities, Royalston Maintenance Facility: Change order increasing contract with Arkay Construction Company.

Engineering 2000 Project: Issue request for proposals for computer assisted design and engineering calculation software.

Lyn-Lake Municipal Parking Lots: Appropriation increase to provide temporary funding to complete project.

WAYS AND MEANS BUDGET:

ATTORNEY (264764)

Police Relief Association: Update relating to pension funds.

Liabilities Payments for 1998: Summary information.

COORDINATOR (264765)

1999 Work Plan and 1998 Accomplishments: Receive & File report.

FINANCE DEPARTMENT (264766)

1999 Travel Expenses: First Quarter Report.

WAYS AND MEANS BUDGET (See Rep):

CONVENTION CENTER (264767)

Convention Center Parking Facility: Change Order #3 w/Knutson Construction Services, Inc.

CONVENTION CENTER (264768)

Bids: OP#5111 for Convention Center Expansion Project: Accept low bid of Merrimac Construction for site services.

Bids: OP#5111 for Convention Center Expansion Project: Accept low bid of Tri-Tech Electric Company, Inc, for temporary site electrical.

Bids: OP#5111 for Convention Center Expansion Project: Accept low bid of Veit & Company, Inc, for earthwork.

Bids: OP#5111 for Convention Center Expansion Project: Accept low bid of Marcy Construction Company, for foundation concrete.

COORDINATOR (264769)

Performance Measurement System Model: Approve.

East Village Livable Communities (North and South) Project: Agreements w/Central Community Housing Trust/East Village Housing Corporation and Augustana Village Limited Partnership.

FINANCE DEPARTMENT (264770)

Payroll Entry & Information Reporting System and Technology Costs for Park Board Year 2000 Compliance: Issue bonds, to be repaid by Park Board over 5 years.

Management Reporting Systems: Project reporting for Near North, New Central Library, and Avenue of the Arts Projects.

HUMAN RESOURCES (264771)

Employee Retention and Recognition: Approve creation of a Company Store.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (264772)

Information & Technology Services: Contract w/Management System Solutions, Inc.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (264773)

Auto Truck/Benson-Orth Associates: Approve vacation of 10th St SE between Central Ave NE & 2nd Av SE, w/staff findings, maps, drawings.

Community Development Agency: Approve vacation of alley in block bounded by 3rd & 4th Aves S, 2nd St S & Washington Ave S to permit redevelopment of Milwaukee Depot site, w/staff findings, drawing.

Zoning Code Text Amendment: Approve ordn amending Title 20, Chap 538 of Mpls Code of Ordns relating to Zoning Code: Residence Districts, permitting dormitories accessory to schools & permitting shared parking lots by schools & religious institutions, w/staff findings.

White Castle Systems, Inc, 3600 E Lake St: Approve application to rezone, with staff findings, drawings, photos, correspondence.

Summary of Planning Commission actions of April 5, 1999.

PLANNING COMMISSION:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (264774)

Permission to vacate a portion of alley behind 427 Cedar Ave.

PARK BOARD (264775)

Permission to vacate Lyndale Ave N between 51st & 53rd Aves N.

MOTIONS (See Rep):

ATTORNEY (264776)

Workers Compensation: Pmts to City employees.

FILED:

CITY CLERK/SPECIAL PERMITS (264777)

17th St N, 88 (Thomas J Green) tents for Basilica Block Party event; 11th St & Nicollet Mall, Peavey Plaza (Mpls Downtown Council) music at lunch & Alive After 5 concert series; 42nd Ave S, 3524 (Patricia E Hartmann) farm livestock & hayride; Mississippi River west bank north of the Broadway bridge (Thomas S Zalewski Jr) Twin Cities River Rats water ski show; University Ave NE, 2300 (Mario Pierzchalski) tent.

MINNESOTA STATE OFFICES-State Auditor (264778)

Copy of the Annual Financial Report for the Mpls Youth Coordinating Board, 12/31/97

NORTHERN STATES POWER (NSP) (264779)

Utilities: Authorize place poles at various locations.

**REPORTS OF
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev – Your Committee recommends concurrence with the Mayor in her reappointments of the following individuals to the Minneapolis Public Housing Authority Board of Commissioners, for terms of office to expire December 31, 2001:

a) Richard Miller, 5340 Hollywood Rd, Edina, MN 55436;

b) Thomas Hansen, 312 Central Ave NE, Minneapolis, MN 55414.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the Fiscal Year 1999 HOME Investments Partnership Program (HOME) entitlement of \$3,676,000 as part of the Fiscal Year 1999 Consolidated Plan submitted to the Department of Housing and Urban Development (HUD), and allocation of said entitlement by the Minneapolis Community Development Agency (MCDA), now recommends –

a) Approval of the 1999 HOME Program budget allocation of \$810,000 for the Single Family Ownership Program; \$2,498,400 for the Multi-Family Rental Program; \$352,600 for Minneapolis Community Development Agency (MCDA) administrative costs; and \$15,000 for City of Minneapolis administrative costs;

b) That the City of Minneapolis be authorized to retain \$15,000 for associated administrative costs;

c) That the proper City/MCDA officers be authorized to execute the Seventh Amendment to Contract #8179 between the City of Minneapolis

and MCDA to expend HUD HOME Program funds and to implement the HUD HOME Program.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee recommends passage of the accompanying resolution increasing the appropriation in the Minneapolis Community Development Agency Fund GEN0 (MCDA General) by \$1,842,832 to provide for re-appropriation of funds for 1998 MCDA approved contracts, as set forth in Petn No 264743, which were not included in Resolution 99R-056, passed March 5, 1999, which re-appropriated 1998 contract balances.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-111
By Niland and Campbell

Amending The 1999 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund GEN0 – MCDA General by \$1,842,832 from available fund balance.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the

Federal Reserve Bank Development Agreement, which includes a provision calling for certain off-site public improvements to be funded through tax increment generated by the new bank, subject to mutual agreement on scope and design and subject to availability of tax increment, now recommends approval of off-site public improvements, in an amount not to exceed \$1.9 million, consisting of intersection improvements at 1st St N and Hennepin Ave (Bridge Square); improvements completing the West River Pkwy underneath the Hennepin Ave Bridge; and improvements completing the North Loop Bike Trail, as set forth in Petn No 264743.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 9; Nays, 1 as follows:

Yeas – Goodman, Mead, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Cherryhomes.

Nays – Colvin Roy.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS – Your Committee, having under consideration Head Start, a comprehensive child and family development program for low income families, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #Z6-1, under Master Contract #10020, to Parents in Community Action, Inc., in the amount of \$113,035, to provide services to 23 eligible children in Minneapolis for the period June 1, 1999 through May 31, 2000, payable from the Health Department (0400-860-8605)

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 9, 1999)

H&HS – Your Committee, having under consideration the Child Care Facility Renovation Program, which provides loans and grants for physical improvements to licensed day care

centers and family day care homes, now recommends that the proper City Officers be authorized to extend Fund Availability Notice #Z2-1a, under Master Contract #10017, through May 31, 2000, to allow the Greater Minneapolis Day Care Association to use an additional year of Community Development Block Grant (CDBG) Year XXIV funds, payable from the Health Department (040-440-4413).

Your Committee, also having under consideration public service sliding fee funds for child care services, now recommends that the proper City Officers be authorized to extend Fund Availability Notice #Z2-2a, under Master Contract #10017, through May 31, 2000, to allow the Greater Minneapolis Day Care Association to use an additional year of Community Development Block Grant (CDBG) Year XXIV funds, payable from the Health Department (040-440-4413).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the Child Care Facility Renovation Program, which provides loans and grants for physical improvements to licensed day care centers and family day care homes, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #Z6-1, under Master Contract #10017, to the Greater Minneapolis Day Care Association, in the amount of \$438,279, to provide Community Development Block Grant (CDBG) Year XXV funding for the period June 1, 1999 through May 31, 2001, payable from the Health Department (040-440-4413).

Your Committee, also having under consideration public service sliding fee funds for child care services, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #Z6-2, under Master Contract #10017, to the Greater Minneapolis Day Care Association, in the amount of \$552,250 to provide Community Development Block Grant (CDBG) Year XXV funding for the period June 1, 1999 through May 31, 2001, payable from the Health Department (040-440-4413).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee recommends that the proper City Officers be authorized to execute a Master Contract with Harriet Tubman Center, Inc., in order to make funding available through Fund Availability Notices for the period January 1, 1999 through December 31, 2003, to provide community outreach and education services related to domestic violence.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee recommends that report passed February 19, 1999 executing amendment #3 to agreement #10977 with the Domestic Abuse Project for continued domestic abuse services to persons with multi assaults and to individuals where the perpetrator was gone upon arrival of the police be rescinded.

Your Committee further recommends that the proper City Officers be authorized to execute a new amendment #3 to agreement #10977 with the Domestic Abuse Project, in the amount of \$107,692, for a new contract total amount not to exceed \$507,692, to provide continued domestic abuse services through December 31, 1999, payable from Neighborhood Services (040-860-8605).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the 348-TOTS Program, now recommends that the proper City Officers be authorized to execute an agreement with Hennepin County, in the amount of \$56,500, to provide developmental screening services for Minneapolis children ages 0-6 years during the period July 1 through December 31, 1999 to identify and refer children with conditions that could interfere with learning once in school, payable from the Health Department (010-440-4413).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee recommends that the proper City Officers be authorized to execute amendment #5 to agreement #8886 with the Legal Aid Society of Minneapolis, Inc., in the amount of \$50,408 for a new contract total amount not to exceed \$314,524, to continue to provide free legal representation and advice on civil matters to low income residents of Minneapolis for the period June 1, 1999 through May 31, 2000, payable from the Health Department (040-440-4413).

Johnson moved that the report be postponed.
Seconded.

Adopted upon a voice vote.

H&HS – Your Committee recommends that the proper City Officers be authorized to execute amendment #6 to agreement #8870 with Minnesota Age and Opportunity, Inc., in the amount of \$137,475 for a new total contract amount not to exceed \$916,444, to continue to provide community outreach services in the areas of legal assistance, transportation and meals-on-wheels for senior citizens of Minneapolis for the period June 1, 1999 through May 31, 2000, payable from the Health Department (040-440-4413),

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee recommends that the proper City Officers be authorized to execute amendment #1 to agreement #12867 with the Minnesota AIDS Project, in the amount of \$41,338 for a new total contract amount of \$82,676, to continue to provide community outreach and education services to prevent the transmission of HIV for the period June 1, 1999 through May 31, 2000, payable from the Health Department (040-440-4413).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the “Stay Alive Project” whereby primarily African American and Native American males between the ages of 17 and 24 living in the Phillips, Powderhorn and Near North communities will participate on basketball teams that will play games during the months of June through August between the hours of 5:00 p.m. through midnight, now recommends that the proper City Officers be authorized to execute an agreement with the Harriet Tubman Center, Inc., in the amount of \$97,352, to provide youth violence prevention services through the “Stay Alive Project” for the period April 1 through December 31, 1999, payable from the Health Department (010-440-4424).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 23, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

(Published April 27, 1999)

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

H&HS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to submit a joint grant application along with the State of Minnesota Department of Health to the United States Department of Housing and Urban Development seeking up to \$1,900,000 of Round VII funding for lead based paint hazard reduction and educational activities.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR – Your Committee, having under consideration the Census 2000 quarterly report (Petn No 264751), now recommends that the following individuals, representing various

communities in the City, be approved for membership on the Minneapolis Complete Count Committee:

Robert Miller, 105 5th Av S, #425
Todd Gardner, 1117 Marquette Av, Apt 808
Denise Andrews, 2414 Ilion Av N
Mark Hinds, 225 W 15th St, #415.

Your Committee further recommends authorizing submission of the Census Tracts and Census Block Groups, as adjusted to align the tract and block group boundaries with neighborhood boundaries, to the Bureau of the Census. The original and proposed adjusted census tracts and census block groups are shown on a map on file in the Planning Department.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee, to whom was referred by the Executive Committee on April 15, 1999 a proposed ordinance amending Chapter 3, Section 4 of the Minneapolis City Charter relating to Powers and Duties of Mayor, providing for terms of office of certain executive committee appointees, now recommends that such proposed ordinance be referred to the Minneapolis Charter Commission for consideration and referral to the City Council for adoption by unanimous vote.

Adopted. Yeas, 9; Nays, 1 as follows:

Yeas – Goodman, Colvin Roy, Mead, Johnson, Thurber, Ostrow, Campbell, Biernat, Cherryhomes.

Nays – McDonald.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee, to whom was referred an ordinance amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to **Liquor and Beer: Liquor Licenses**, adding a subdivision that provides off-street parking requirements for on-sale liquor applicants in the Lyn/Lake area, now recommends that said

ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-042

By McDonald

Intro & 1st Reading: 3/26/99

Ref to: PS&RS

2nd Reading: 4/23/99

Amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 362.30 (g) (2) of the above-entitled ordinance be amended to read as follows:

362.30. "On sale" licenses.

(g) Off-street parking.

(2) a. After February 1, 1983, no "on sale" liquor license shall be granted outside the commercial districts described in section 362.430 for a new premises, or upgrading of an existing licensed premises to Class A, or Class B, or an expansion of an existing licensed premises, unless the applicant provides and thereafter continuously maintains off-street parking for the customers of his or her business within three hundred (300) feet of the main entrance of the establishment. The number of off-street parking spaces shall be that number required by the applicable zoning ordinance, or one parking space for every three (3) persons as computed on the basis of the maximum seating capacity of the establishment, whichever is greater. In the case of a new premises or an upgrading to Class A, or Class B, the number of required parking spaces shall be based upon the capacity of the entire premises. In the case of an expansion of premises, the number of required parking spaces shall be based on the capacity of the expanded area.

b. A place of business located south of the centerline of East Grant Street, north of the centerline of Fifteenth Street, and on the Nicollet Avenue block face or a place of business located from Hawthorne Avenue to 15th Street North to

Laurel Avenue to 17th Street North to Hennepin Avenue to Harmon Place to Maple Street to Hennepin Avenue to 13th Street North, which seeks an "on sale" liquor license may fulfill the off-street parking requirement of this subsection for such "on sale" liquor license by maintaining a free valet parking service for its customers. The service shall be available during all business hours and shall provide service to and from the main entrance. Availability of this service shall be conspicuously posted inside and outside the establishment near the main entrance. The valet shall be properly licensed to operate a motor vehicle.

c. A place of business located south of the centerline of the Midtown Greenway, north of the centerline of East Lake Street and on the blockface of Lyndale Avenue South, which seeks an "on sale" liquor license shall be afforded all nonconforming parking spaces under the applicable zoning code, except that outdoor seating shall be considered the same as indoor seating for purposes of calculating off-street parking requirements, subject to the following requirements:

1. The "on sale" licensee granted a license under the provisions of this subsection shall pay and keep current all development Impact Fees due to the Lyn/Lake Parking Trust Fund established by the Minneapolis city council on May 22, 1998.

2. The "on sale" licensee granted a license under the provisions of this subsection shall, with the exception of approved off-street parking facilities exclusively owned or leased and exclusively utilized by the patrons of the "on sale" licensee, shall meet all additional parking requirements through utilization of the Lyn/Lake municipal parking facility described in petition number 263799 on file in the office of the city clerk.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, to whom was referred an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to **Licenses and Business Regulations: In General**, adding a new section providing license

requirements to control shopping carts, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 8; Nays, 2 as follows:

Yeas – Goodman, Colvin Roy, Mead, Thurber, Ostrow, Campbell, Biernat, Cherryhomes.

Nays – McDonald, Johnson.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-043
By Thurber

Intro & 1st Reading: 2/19/99
Ref to: PS&RS
2nd Reading: 4/23/99

Amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: In General.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 259 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 259.240 to read as follows:

259.240. Control of shopping carts. (a)

Control of shopping carts. Each business or other entity which is licensed to do business under the provisions of this code, which provides wheeled shopping carts to its customers for their use and which permits the removal of those shopping carts from their building(s) or other enclosed area or acquiesces in the removal of those shopping carts from their building(s) or other enclosed area shall, as a condition of their license, have the following general responsibilities to the licensor:

(1) To control such shopping carts when outside a building or other enclosed area but on the licensee's property or common areas shared by the licensee so they do not become a hazard to traffic or a nuisance to the public generally.

(2) To label such carts with the name and address of their business.

(3) To make reasonable efforts to provide for the timely return of such shopping carts to their premises.

Nothing in this section shall create a legal duty to anyone but the licensor.

(b) *Specific duties to pick up shopping carts.*

Each business or other entity which is licensed to do business under the provisions of this code, which provides wheeled shopping carts to its customers for their use, permits such shopping carts to be removed from its building(s) or other enclosed area or acquiesces in such removal from its building(s) or other enclosed area and which has more than forty (40) shopping carts on its premises for use by customers on a regular basis and which has failed to comply with its responsibilities pursuant to paragraph (a) as determined by the director of licenses shall, in addition to the responsibilities provided in paragraph (a) have the following additional responsibilities:

(1) To search the area within a one-half (1/2) mile radius of its premises every day and to pick up each wheeled shopping cart owned by it and return such shopping cart to its premises or other secured location controlled by the licensee. The licensee is not required to enter private property to fulfill this responsibility;

(2) To prepare and keep on file at each store a written plan to control shopping carts. This plan shall detail all reasonable and necessary steps to control shopping carts which have been removed from its building(s) and other enclosed area by customers with the permission and/or acquiescence of the licensee and which have then left the property of the licensee. The director, or the director's designee, may examine the plan during regular business hours upon request by the director, or the director's designee, and review it to determine if it is sufficient to meet the goals of this section. If in the judgment of the director or the director's designee, the plan is sufficient to meet the goals of this section, the plan shall be approved by the director or the director's designee. If the plan is not sufficient to meet the goals of this section, the plan shall be revised by the licensee until it obtains the approval of the director or the director's designee. Each licensee shall comply with its approved cart control plan. If the director, or the director's designee, determines that a cart control plan which has been approved is not adequate or determines that the licensee is not in compliance with its approved plan, the director, or the director's designee, may require the licensee to submit a new plan or state in writing the steps that will be taken to fully comply with the existing plan.

(c) *Enforcement.* Failure to comply with any of the provisions of this section may subject a license holder, after notice and hearing, to a

monetary penalty, or in extenuating circumstances, license revocation, suspension or non-renewal by the city council.

Adopted. Yeas, 8; Nays, 2 as follows:

Yeas—Goodman, Colvin Roy, Mead, Thurber, Ostrow, Campbell, Biernat, Cherryhomes.

Nays—McDonald, Johnson.

Absent—Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1999

International Catering Inc, dba Atrium Cafe at International Market Square, 275 Market St (Friends of the Boundary Waters, April 17, 1999, 3:30 p.m. to 11:00 p.m.);

International Catering Inc, dba Atrium Cafe at International Market Square, 275 Market St (April 23, 1999, 6:00 p.m. to 12:30 a.m., Larson, Allen, Weishar);

Minnesota Orchestral Association, dba Orchestra Hall, 1111 Nicollet Mall;

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 1999

B & J Coleman Property Management Inc, dba Ben Coleman's Caribbean Splash, 256 1st Av N;

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 1999

German Restaurants Inc, dba Gasthof Zur Gemutlichkeit, 2300 University Av NE (temporary expansion of premises with outdoor entertainment, April 30, May 2, and May 7 and 8, 1999, 5:00 p.m. to 10:00 p.m.);

Bottle Club, to expire March 31, 2000

Latvian House Inc, dba Latvian house, 2337 Central Av NE;

Star Spangled Banner Post #1149, dba Veterans of Foreign Wars, 3016 17th Av S;

Vincent L Giantvalley Post #234, dba American Legion Department of Minnesota, 3751 Minnehaha Av;

Spruce Tree Lounge Inc, dba Spruce Tree Lounge, 3836 4th Av S;

Wold-Chamberlain Post #99, dba American Legion, 5600 34th Av S;

Temporary On-Sale Liquor

Northern Clay Center, dba Northern Clay Center, 2424 E Franklin Av (April 23, 1999, 5:00 p.m. to 10:30 p.m., benefit auction; licensed facilitator: Kieran's Irish Pub & Restaurant);

Share Our Strength, dba Taste of the Nation, 6109 Ashcroft Av, Edina (April 18, 1999, noon to 4:00 p.m., at Minneapolis Convention Center, with temporary entertainment);

Theatre De La Jeune Lune, dba Theatre De La Jeune Lune, 105 N 1st St (May 1, 1999, 8:00 p.m. to 1:00 a.m.);

De LaSalle High School, dba De LaSalle High School, 1 De LaSalle Dr (May 1, 1999, 7:00 p.m. to 11:00 p.m.; licensed facilitator: Cuzzzy's Inc);

Temporary On-Sale Beer

St Stephen's Church, 2211 Clinton Av (May 1, 1999, noon to 4:00 p.m., spring fundraising festival).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of April 23, 1999, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petr No 264753):

Bowling, Pool & Billiards All-Night Special; Building Contractor Class A; Building Contractor Class B; Carnival; Cement Finisher; Contractor/Masonry Class A; Contractor/Masonry Class B; Dance Hall; Dry-Cleaning Pickup Station; Laundry; Dry-Wall Contractor; Place of Entertainment; All Night Special Food; Caterers; Confectionery; Food Distributor; Farm Produce (Profit or Non-Profit Permit); Grocery; Food Manufacturer; Restaurant; Short-Term Food Permit; Seasonal Short Term Food Establishment; Sidewalk Cafe Permit; Sidewalk Cart Food Vendor; Soft Drinks; Vending Machines; Liquid Waste Hauler; Lodging with Boarding House; Commercial Parking Lot Class A; Plumber; Pool Tables; Refrigeration Installer; Solid Waste Hauler; Suntanning Facilities; Swimming Pools; Taxicab Service Company License; Taxicab Neighborhood Rideshare; Taxicab Vehicle; Taxicab Vehicle N T; Tree Servicing; and Wrecker of Buildings Class B.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Exempt

Church of St Boniface, 629 NE 2nd St (raffle, paddlewheel and pulltabs, April 13, 1999);

St Olaf Catholic Church, 215 S 8th St (raffle, May 16, 1999);

Church of St Hedwig, 129 29th Av NE (bingo, raffle, paddlewheel and pulltabs, June 6, 1999).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the On-Sale Class D Beer License held by Sanmar, Inc., dba Round Up Beer Hall, 201 E Lake St, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing relating to criminal activity at the licensed establishment, now recommends that the On-Sale Beer Class D License held by Sanmar, Inc., dba Round Up Beer Hall, 201 E Lake St, be suspended for 60 days, and that a fine of \$2,000 be imposed on the licensee, subject to the following conditions:

a. that the licensee pay said fine of \$2,000 to the City of Minneapolis within 30 days from the effective date of said agreement;

b. that the 60-day suspension be completed within 60 days from the effective date of said agreement;

c. that the licensee screen and hire new management for the Round Up;

d. that the licensee improve the lighting on the exterior of the Round Up consistent with the recommendations made by CCP/SAFE personnel;

e. that the licensee correct the deficiencies found by the Health Department within 30 days

from the effective date of said agreement, and prior to reopening the establishment;

f. that the licensee correct the deficiency in the parking lot, by converting the dirt surface to a hard surface, within 30 days of the effective date of said agreement;

g. that the licensee provide a list of tenants in the apartments located above the establishment to the City of Minneapolis, along with the corresponding unit number of each tenant or tenants, within 30 days of the effective date of said agreement;

h. that the licensee immediately employ and retain security personnel to patrol the Round Up (inside and outside);

i. that no same or similar violations occur at the licensed premises for a period of one year from the effective date of said agreement.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the pending Motor Vehicle Servicing Class B license application and the Motor Vehicle Servicing, Class A (private property) tow truck driver's permit held by Roger Melvin Westphal, dba S & R Towing, 1209 Glenwood Av N, and having conducted an investigative meeting after receiving complaints from homeowners that the licensee was storing junk vehicles and an unlicensed tow truck at or near his home residence located at 1106 Lincoln St NE, now recommends adoption of the following recommendations, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee's tow truck, when not in use performing towing, shall be stored at the Demko Towing facility at 1209 Glenwood Av N, or at another properly zoned off-street location. Said tow truck shall not be kept, stored or parked elsewhere in Minneapolis, except when in the process of providing service;

b. the licensee shall not purchase, sell, keep, park or store motor vehicles or motor vehicle parts except in compliance with State law and City ordinance;

c. the licensee pay \$500 to the City of Minneapolis as payment for the cost of

enforcement and investigation in this matter, payable by October 12, 1999;

d. that future violations of related laws, or the terms of said agreement, shall be considered cause to initiate action to suspend, revoke or deny Mr. Westphal's license and/or tow driver's permit.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute an amendment to the Delegation Agreement with the Minnesota Department of Health to grant the City of Minneapolis a time extension in order to adopt amendments made to the Minnesota Food Code, and to agree that until such time as training is offered, the State will take no adverse actions against the City for unintentional failure to enforce provisions of the 1998 Food Code.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The Public Safety & Regulatory Services Committee had under consideration a report relating to the reinstatement of the Rental Dwelling License, subject to conditions, held by Russell Erkkila for the property located at 2204 Emerson Av N.

Biernat moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

PS&RS – Your Committee recommends that the "1999 City Council Committee Schedule and Members" be amended to change the starting time for the Public Safety & Regulatory Services Committee from 1:30 p.m. to 1:00 p.m.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget – Your Committee recommends acceptance of the bid received on OP #4956 (Petr No 264756) submitted by ARI, Inc., for an estimated annual expenditure of \$130,000, for furnishing a vehicle maintenance program for the Inspections Division, all in accordance with City specifications.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said project.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee recommends passage of the accompanying Resolution initiating the special assessment proceedings for the expansion of the 50th St W and France Av S Parking Facility.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-112

By Mead

Initiating the special assessment proceedings for the expansion of the 50th St W and France Av S Parking Facility.

Whereas, the need exists for additional off-street parking in the 50th and France area; and

Whereas, Minnesota Statutes, Section 459.14 (Automobile Parking Facilities) authorizes the City of Minneapolis to acquire property interests, construct parking facilities, operate parking facilities and finance parking facilities through special assessments levied against benefited properties; and

Whereas, the City Engineer has recommended the initiation of the procedures for the expansion of the existing 50th St W and France Av S Parking Facility, all as contained in Petr No 264759 on file in the Office of the City Clerk; and

Whereas, the City Engineer has estimated the capital cost of the proposed expansion of the 50th St W and France Av S Parking Facility to be \$2,022,000; and

Whereas, \$150,000 of the capital costs of the proposed expansion is to be paid for from the Parking Fund (7500) as a partial fulfillment of the local obligation for the 50th and France Development District Tax Increment Finance Plan; and

Whereas, the City Engineer has estimated the annual operation and maintenance costs of the expanded parking facility to be \$19,000;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proper City Officers are hereby directed to prepare proposed special assessments in the total amount of \$1,872,000 and give notice of a public hearing to be held by the Transportation and Public Works Committee on May 13, 1999, in accordance with Minnesota Statutes, Section 459.14, Minnesota Statutes, Chapter 429 and Laws of Minnesota, 1989, Chapter 115, Section 4 to consider approving the 50th St W and France Av S Parking Facility expansion proposal as described in said Petr No 264759 and to consider the amount proposed to be assessed to each benefited property.

Be It Further Resolved that the proper City Officers are hereby directed to give notice of the proposed annual operation and maintenance special assessment district for the expanded 50th St W and France Av S Parking Facility.

Adopted. Yeas, 10; Nays none.
Absent – Herron, Niland.
Passed April 23, 1999. J. Cherryhomes, President of Council.
Approved April 29, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Public Works Facilities Project, Primary Service Node #1 (Currie Maintenance Facility), now recommends approval of Change Order #1 to City Contract #13246 with Knutson Construction increasing the contract by \$220,066, for a new total of \$16,037,566, due to various building revisions and contaminated soil at the facility site.

Adopted. Yeas, 10; Nays none.
Absent – Herron, Niland.
Passed April 23, 1999.
Approved April 29, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Nicollet Av Task Force that was established to make redevelopment, roadway, transportation and streetscape design recommendations for Nicollet Av from Franklin Av to 62nd St and having been informed that the appointments of the Task Force members have lapsed but additional time is needed to complete their report, now recommends that the following individuals, representing all the original members, be reappointed to the Nicollet Av Task Force for terms to expire on October 1, 1999:

Tom Berthiaume	2010 1st Av S	Whittier Alliance
Judyth Bigelow	4425 1st Av S	King-Field Neighborhood Assn
Ray Croaston	4743 1st Av S	At-large
Nina Ebbighausen	400 Clifton Av S	At-large
Chuck Holdsworth	3732 Blaisdell Av	At-large
John Hotvet	5100 Nicollet Av S	At-large
Karen Ives	232 W Franklin Av, #105	Stevens Square Community Org
Nicholas Koch	5025 Lyndale Av S	At-large
Cara Letofsky	2517 30th Av S	Midtown Greenway Coalition
David Parker	5839 Harriet Av S	Windom Community Council
Perry Smaglik	5153 Nicollet Av S	Tangletown Neighborhood Assn
Daniel Spencer	2843 James Av S	At-large
Osla Thomason-Kuster	3205-09 Nicollet Av S	Lyndale Neighborhood Assn

Adopted. Yeas, 10; Nays none.
Absent – Herron, Niland.
Passed April 23, 1999.
Approved April 29, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration a report from the Director of Solid Waste and Recycling regarding negotiations with B.F.I. Recycling Systems of Minnesota, Inc. (BFI) for extension of their contract for the processing and marketing of recyclables collected in the City's recycling program, now recommends that the proper City officers be authorized to execute a contract with BFI for said services according to the terms set forth in Petn No 264760.

Adopted. Yeas, 10; Nays none.
Absent – Herron, Niland.
Passed April 23, 1999.
Approved April 29, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration a contract with ABM Equipment regarding the purchase of recycling trailers and having been informed that the trailers ordered under the contract

were delivered late to the City, now recommends that the proper City officers be authorized to negotiate an amendment to the contract with ABM Equipment relating to liquidated damages, insuring product usefulness and protecting future warranties (Petr No 264760)

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee, having under consideration the Hawthorne Transportation Center project, now recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for independent testing and inspection service for said project.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Public Works Facilities Project, Primary Service Node #1 (Royalston Maintenance Facility), now recommends approval of Change Order #4 to City Contract #11669 with Arkay Construction Company increasing the contract by \$171,523, for a new total of \$6,588,803.

Your Committee further recommends that the proper City officers be authorized to make a final payment to Arkay Construction Company in the amount of \$289,987.10 for said project.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration software changes within the City's Geographic Information System (GIS) and a recommendation to replace elements of the computer assisted design (CAD) system, now recommends that the proper City officers be

authorized to issue a Request for Proposals (RFP) seeking engineering calculation software to implement Engineering 2000 for the Public Works Department.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Lyn-Lake Municipal Parking Lots project and a report outlining the need for additional funding due to higher than anticipated acquisition costs, now recommends passage of the accompanying resolution appropriating \$1,315,000 to the PW – Transportation Capital Agency to provide cash flow (temporary funding) for the completion of the Lyn-Lake Parking Lots. Upon completion of the project, with project costs finalized, assessment bonds will be issued to reimburse the Parking Fund for actual expenditures above the project's original appropriation of \$2,282,000 less net revenue from the sale of any properties.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-113

By Mead and Campbell

Amending The 1999 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Transportation Capital Agency in the Municipal Parking Fund (7500-943-9464) by \$1,315,000 to provide cash flow for the completion of the Lyn-Lake Parking Lots.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for the Near Northside Development Area open space and infrastructure planning and design activities.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a report from the Planning Department providing a comparative analysis of potential replacement sites for Public Works facilities and operations in the Bassett Creek Area and a recommendation to conduct a study of replacement sites for Public Works facilities in that area (Petn No 264762), now recommends:

T&PW – That appropriate City staff from Public Works, Planning, Finance, the Minneapolis Community Development Agency (MCDA), City Council Office and the Mayor's Office be assigned to join with the Near North Implementation Committee in forming a staff steering committee to work on and complete a study by June 30, 1999;

W&M/Budget – That the proper City officers be authorized to issue a Request for Proposals for the services of a consultant to assist with completion of a study.

Mead moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

T&PW & W&M/Budget – Your Committee, having under consideration a report from the Planning Department providing a comparative analysis of potential replacement sites for Public Works facilities and operations in the Bassett Creek Area and a recommendation to conduct a study of replacement sites for Public Works facilities in that area (Petn No 264762), now recommends:

a) That appropriate City staff from Public Works, Planning, Finance, the Minneapolis Community Development Agency (MCDA), City Council Office and the Mayor's Office be assigned to join with the Near North Implementation Committee in forming a staff steering committee to work on and complete a study by June 30, 1999; and

b) That the proper City officers be authorized to execute two contracts for consultant services to assist the staff steering committee in completing the study. The amount of the contracts shall not exceed \$25,000 each (\$25,000 payable from the Planning Department budget and \$25,000 payable from the MCDA MILES Program, the Park Board and Near North Project funds). Authorization is granted notwithstanding the City's policy requiring issuance of a request for proposals based on the need for an expedited study process.

The report, as substituted, was adopted.

Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget – Your Committee recommends approval of the performance measurement system model, as more fully set forth in Petn No 264769 on file in the Office of the City Clerk.

Your Committee further recommends that the City Coordinator be directed to implement said performance measurement system and to incorporate the system into the City's core processes.

Your Committee further recommends proceeding with an internal process during 1999, with the understanding that an external process (including a citizen involvement component) will be discussed for possible implementation in the Year 2000.

Your Committee further recommends that department heads be directed to provide outcome measurements and objectives to the appropriate policy committees, for referral to the Ways and Means/Budget Committee for further discussion and consideration.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval to create a Company Store that would sell such items as golf shirts,

sweatshirts, and light windbreakers (with a City of Minneapolis logo embroidered on the pockets) to provide funds to support an Employee Recognition Program intended to support employee retention activities and to recognize valuable City employees.

Your Committee further recommends that the Director of Human Resources be directed to administer said program.

Your Committee further recommends that the Director of Human Resources be directed to create and administer an Employee of the Month Program, which would include, but not be limited to, offering a parking space free of charge for one month at one of the City's parking facilities.

Your Committee further recommends that appropriate staff of the Human Resources Department be directed to continue to explore ways to increase employee retention.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration receipt of the Livable Communities Grant, in the amount of \$550,000, for the East Village (North and South) Project, now recommends that the proper City officers be authorized to execute the following grant agreements specifying use of grant funds:

1) Agreement with Central Community Housing Trust/East Village Housing Corporation, in the amount of \$293,000; and

2) Agreement with Augustana Village Limited Partnership, in the amount of \$257,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of the following bids received on OP #5111, submitted by the following organizations for Sitework and Foundations, all in accordance with City specifications (Petr No 264768):

a) low bid of Merrimac Construction Company, in the amount of \$2,558,130, for furnishing and

delivering all material, labor, equipment and incidentals necessary to accomplish site services;

b) low bid of Tri-Tech Electric Company, Inc, in the amount of \$217,221, for furnishing and delivering all material, labor, equipment and incidentals necessary to accomplish temporary site electrical;

c) low bid of Veit & Company, Inc, in the amount of \$6,463,621, for furnishing and delivering all material, labor, equipment and incidentals necessary to accomplish earthwork;

d) low bid of Marcy Construction Company, in the amount of \$3,657,000, for furnishing and delivering all material, labor, equipment and incidentals necessary to accomplish foundation concrete.

Your Committee further recommends that the proper City officers be authorized to execute all necessary contracts.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 27, 1999)

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute Change Order #3 to Contract #13203 with Knutson Construction Services, Inc, providing for contract changes relating to the Convention Center Parking Facility, as more fully set forth in Petr No 264767, and increasing the contract by \$43,927, for a new contract total of \$7,348,774, payable from the Permanent Improvement Projects Fund – Convention Center Site Agency – Project Contingency (4100-975-9751).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration Park Board costs relating to the required upgrade of the Payroll Entry and Information Reporting System (PEIRS), in the amount of \$230,000, and technology costs relating to Park Board Year 2000 compliance, in the amount of \$150,000, now recommends requesting that the Board of Estimate and Taxation issue an

additional \$380,000 in 1999 SISP Bonds and increasing the total 1999 Strategic Information System Planning (SISP) Projects budget by \$380,000, to be repaid by the Park Board over a 5-year period, as more fully set forth in Petn No 264770 on file in the Office of the City Clerk.

Your Committee further recommends passage of the accompanying Resolutions:

a) requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$380,000, for certain purposes other than the purchase of public utilities; and

b) increasing the 1999 SISP Projects budget by \$380,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-114

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$380,000, for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$380,000, the proceeds of which are to be used for upgrading the Payroll Entry and Information Reporting System (PEIRS), in the amount of \$230,000 and for technology costs relating to Park Board Year 2000 compliance, in the amount of \$150,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-115

By Campbell

Amending The 1999 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Strategic Information System Planning (SISP) Projects Agency in the Permanent Improvement Projects Fund (4100-972-9725-8025) by \$380,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute Amendment #2 to Contract #12319 with Management System Solutions, Inc. (MSS) to assist the City's Information and Technology Services (ITS) organization with the introduction of new technology standards and processes, increasing the contract by an amount not to exceed \$1,200,000, for a new contract total of \$3,200,000, with ITS operational issues to be payable from the ITS Agency in the Intergovernmental Service Fund (6400-880) and Strategic Information Systems Planning (SISP) project issues to be payable from the SISP Agency in the Permanent Improvement Projects Fund (4100-972).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the City's management reporting systems for the Near North Project, the New Central Library Project, and the Avenue of the Arts Project, now recommends passage of the accompanying Resolutions, amending the 1999 General Appropriation Resolution and the 1999 Capital Improvement Resolution for proper reporting:

a) Appropriating funds for the Near North Project;

b) Appropriating funds for the New Central Library Project; and

c) Appropriating funds for the Avenue of the Arts Project.

Adopted. Yeas, 10; Nays none.
Absent – Herron, Niland.
Passed April 23, 1999.
Approved April 23, 1999. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.
(Published April 27, 1999)

RESOLUTION 99R-116
By Campbell

**Amending the 1999 General Appropriation
Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled resolution, as
amended, be further amended by:

a) increasing the Interfund Transfer Agency
Appropriation in the Convention Center-Related
Fund (0760-127-1270) by \$100,000;

b) increasing the Interfund Transfer Agency
Appropriation in the Parking Fund (7500-127-
1270) by \$100,000 for transfer to the Permanent
Improvement Projects Fund (4100) for the Near
North Project; and

c) increasing the Interfund Transfer Agency
Revenue Budget in the Parking Fund (7500-127-
1270-Source 3820) by \$100,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes,
President of Council.

Approved April 23, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.
(Published April 27, 1999)

RESOLUTION 99R-117
By Campbell

**Amending The 1999 Capital Improvement
Appropriation Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled resolution, as
amended, be further amended by:

a) increasing the appropriation for the Capital
Improvement – Non-Departmental Agency in the
Permanent Improvement Projects Fund (4100-
970-9719) by \$179,500 (\$100,000 from Parking
Fund 7500 and \$79,500 from Minneapolis
Community Development Agency Preliminary

Planning Fund CPP-3532 for the Near North
Project);

b) increasing the Capital Improvement Non-
Departmental Agency Revenue Budget in the
Permanent Improvement Projects Fund (4100-
970-9719-Source 3850) by \$100,000 and
increasing the revenue source (4100-970-9719-
Source 3845) by \$79,500; and

c) decreasing the City Coordinator
Appropriation in the Permanent Improvement
Projects Fund (4100-840-8408) by \$100,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes,
President of Council.

Approved April 23, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.
(Published April 27, 1999)

RESOLUTION 99R-118
By Campbell

**Amending The 1999 Capital Improvement
Appropriation Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled resolution, as
amended, be further amended by increasing the
Capital Improvement – Non-Departmental Agency
in the Permanent Improvement Projects Fund
(4100-970-9719) by \$1,425,000 to provide EC/
EZ grant funds for Near North infrastructure and
design and increasing the Capital Improvement –
Non-Departmental revenue estimate in the
Permanent Improvement Projects Fund (4100-
970-9719-Source 3210) by \$1,425,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes,
President of Council.

Approved April 23, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.
(Published April 27, 1999)

RESOLUTION 99R-119
By Campbell

**Amending The 1999 General Appropriation
Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled resolution, as amended, be further amended by decreasing the City Coordinator Agency Appropriation in the Convention Center Related Fund (0760-840-8407) by \$100,000 for the New Central Library.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 27, 1999)

**RESOLUTION 99R-120
By Campbell**

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) increasing the Interfund Transfer Agency in the Convention Center-Related Fund (0760-127-1270) by \$100,000;

b) increasing the Interfund Transfer Agency in the Parking Fund (7500-127-1270) by \$100,000 for transfer to the New Central Library Project in the Permanent Improvement Projects Fund (4100); and

c) increasing the Interfund Transfer Agency Revenue Budget in the Parking Fund (7500-127-1270-Source 3820) by \$100,000 for the New Central Library Project.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 27, 1999)

**RESOLUTION 99R-121
By Campbell**

Amending The 1999 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) increasing the Capital Improvement – Non-Departmental Agency Appropriation in the Permanent Improvement Projects Fund (4100-970-9720) by \$100,000, as transferred from the Parking Fund (7500) for the New Central Library Project; and

b) increasing the Capital Improvement Non-Departmental Agency Revenue Budget in the Permanent Improvement Projects Fund (4100-970-9720-Source 3850) by \$100,000 for the New Central Library Project.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 27, 1999)

**RESOLUTION 99R-122
By Campbell**

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by decreasing the City Coordinator Appropriation in the Convention Center-Related Fund (0760-840-8406) by \$100,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 27, 1999)

**RESOLUTION 99R-123
By Campbell**

Amending The 1999 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the

Convention Center Site Agency in the Convention Center-Related Fund (0760-975-9751) by \$100,000 for the Avenue of the Arts Project.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 27, 1999)

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, having under consideration the application of Auto Truck/Benson-Orth Associates (Vac #1252) to vacate 10th St SE between Central Av NE and 2nd Av SE to permit construction of a holding pond to contain stormwater runoff, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 264773 and to grant said vacation, subject to retention of easement rights by NSP, MCI, Paragon Cablesystems and the City of Minneapolis.

Your Committee further recommends passage of the accompanying resolution vacating said 10th St SE between Central Av NE and 2nd Av SE, and summary publication of same.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 99R-124, entitled “Vacating 10th Street Southeast between Central Avenue Northeast and 2nd Avenue Southeast. (Vac #1252),” was passed April 23, 1999 by the City Council and approved April 29, 1999 by the Mayor. The full text of the resolution is available for inspection by the public in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 99R-124

By McDonald

Vacating 10th Street Southeast between Central Avenue Northeast and 2nd Avenue Southeast. (Vac #1252)

Resolved by The City Council of The City of Minneapolis:

That all that part of 10th Street as dedicated in the recorded plat of Cummings and Brott's Addition to the Town of St. Anthony Falls situate in Hennepin County, Minnesota described as lying northwesterly of the northwesterly right of way line of Great Northern Railway Company (now the Burlington Northern Inc.) and lying southeasterly of the southeasterly right of way line of Mill Street (now Central Avenue Northeast) is hereby vacated except that such vacation shall not affect the existing easement right and authority of NSP, Paragon Cable and the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to NSP: The Southwesterly 20 feet and the Westerly 66 feet of said vacation.

As to the City of Minneapolis: A 20 foot wide sewer easement, lying 20 feet northeasterly and southwesterly of the centerline of 10th Street Southeast from Southeasterly right of way line of Central Avenue Northeast to the Northwesterly right of way line of 2nd Avenue Southeast.

As to Paragon Cable: All of the to be vacated street.

As to MCI: All of the to be vacated street.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so;

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights

would be subordinate if this street had not been vacated.

Adopted. Yeas, 10; Nays none.

Absent - Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of the Minneapolis Community Development Agency (Vac #1258) to vacate the alley in the block bounded by Washington Av S, 3rd Av S, 4th Av S and 2nd St S to assemble the Milwaukee Depot site for future redevelopment, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 264773 and to approve said vacation.

Your Committee further recommends passage of the accompanying resolution vacating said alley.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-125

By McDonald

Vacating the alley in the block bounded by Washington Avenue South, 3rd Avenue South, 4th Avenue South and 2nd Street South. (Vac #1258)

Resolved by The City Council of The City of Minneapolis:

That all that part of the Easterly/Westerly alley lying within Block 41, Town of Minneapolis Addition is hereby vacated.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, to whom was referred an ordinance amending Title 20, Chapter 538 of the Minneapolis Code of Ordinances relating to

Zoning Code: Residence Districts, permitting dormitories accessory to schools in certain districts and allowing a single shared parking area to fulfill parking requirements of a school and religious institution, now recommends that the related findings set forth in Petn No 264773 be adopted and that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99/Or/044

**By McDonald
and Cherryhomes**

Intro & 1st Reading: 2/19/99

Ref to: Z&P

2nd Reading: 4-23-99

Amending Title 20, Chapter 538 of the Minneapolis Code of Ordinances relating to the Zoning Code: Residence Districts.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 538.190 (3) of the above-entitled ordinance be amended by adding thereto a new subdivision (g) to read as follows:

538.190. Off-street parking. Off-street parking facilities accessory to uses allowed in the R1 District shall be provided in accordance with the following minimum requirements, as well as the regulations specified in Chapter 528:

(3) Educational and cultural institutions.

(g) Elementary schools, middle schools, or junior or senior high schools may utilize shared parking with religious institutions. Required parking shall be calculated separately for the schools and religious institution proposing to share parking. The required parking for these shared uses shall be the greater of the two requirements.

Section 2. That Section 538.910 of the above-entitled ordinance be amended by adding thereto a new subdivision (12) to read as follows:

538.910. Conditional uses. Any use allowed as a conditional use in the R3 District shall be allowed in the R4 District, and in addition, the following uses shall be permitted, subject to the provisions of Chapter 525, unless already permitted in section 538.890 above:

(12) Dormitories accessory to elementary schools, middle schools or junior or senior high schools.

Section 3. That Section 538.960 of the above-entitled ordinance be amended by adding thereto a new subdivision (12) to read as follows:

538.960. Off-street parking. The off-street parking requirements of the R3 District shall apply in the R4 District, and in addition, the following requirements shall be complied with:

(12) Elementary, junior or high schools with accessory dormitories--Parking shall be as provided in section 538.190 (g), except that for resident staff, one parking space shall be provided for each resident staff member.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee concurs in the recommendation of the Planning Commission to approve the application of White Castle Systems, Inc (P-1052) to rezone the property at 3600 E Lake St from the R1A and B3S-2 Districts to the B3S-3 District to permit new landscaping, remodeling and a drive-through window and to adopt the related findings set forth in Petn No 264773. (63922).

Your Committee further recommends passage of the accompanying amendment to the Zoning Ordinance.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-045

By McDonald

1st & 2nd Readings: 4/23/99

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 536.20 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. All of lots 15, 16, 17 and 18, Block 3, Nesbitt's Addition to Minneapolis (3600 East Lake St – Plate 28) to the B3S-3 District.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Ostrow, Chair of the Claims Committee, moved concurrence in the reports received from the City Attorney (Petn No 264776) recommending payment of workers' compensation to various employees and to the State Fund, and for payment of bills and professional services rendered claimants or employees injured on the job. Seconded.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved to direct the Minneapolis Community Development Agency (MCDA) and the City departments, as appropriate, as part of its contract with STA Development Corporation for the expenditure of the Empowerment Zone and other funds at the City's discretion, to include performance measures, financial accounting, and regular reports by the developer to the MCDA staff in order to monitor progress and to ensure the City's goals for the project are met, in keeping with prior Council actions. Seconded.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Mead moved to amend the City Council's action of April 9, 1999, regarding Franklin Av E Streetscape Revitalization Project, Franklin Av E Street Construction Project, and Proposed Street Lighting District No. 1238, by directing the City

Clerk to postpone giving notice of a public hearing for May 13, 1999, and to cancel any such hearing for that date. Seconded.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTIONS

RESOLUTION 99R-126

**By Cherryhomes, Ostrow,
Campbell, Biernat, Johnson,
Niland, Goodman, Herron, Thurber,
McDonald, Mead, Colvin Roy**

Honoring the DeLaSalle Islanders Varsity Boys' 1999 State Championship Basketball Team.

Whereas, the DeLaSalle Islanders boys' basketball team compiled a 24-3 record and won the Minnesota State Class AA Championship in 1999; and

Whereas, this is the Islanders second consecutive state championship; and

Whereas, the Islanders were the Section 4AA Champions for the third year in a row; and

Whereas, the Islanders were the Tri Metro Conference Champions for the second year in a row; and

Whereas, the Islanders lead the State in the lowest number of points allowed per game with 41.07, which was even lower than that last year's best mark in the state; and

Whereas, the Islanders played one of the toughest schedules in the state, playing 14 "ranked" teams with a record of 11-3 against the best competition in the state; and

Whereas, six members of the Islanders were recognized as All-Tri-Metro Conference players, one member was recognized as both the All-Metro First team and All-State First Team, and three players were selected to be on the All-State Tournament Team; and

Whereas, nine members of the Islanders are on the academic honor roll and four members are on the National Honor Society;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council congratulates the 1999 DeLaSalle Islanders Varsity Boys' Basketball

team for their outstanding performance at the 1999 Minnesota High School League championship games and for continuing their strong tradition of athletic performance, sportsmanship and academic accomplishment.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes, President of Council.

Approved April 29, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-127

**By Ostrow, Campbell, Biernat,
Johnson, Cherryhomes, Niland,
Goodman, Herron, Thurber,
McDonald, Mead, Colvin Roy**

Honoring the National Association of Letter Carriers' Food Drive Day.

Whereas, the National Association of Letter Carriers has identified a need in their communities and are acting to help through a national food drive; and

Whereas, letter carriers have direct contact with almost every person in America on a daily basis, and this gives them a heightened awareness of the needs of those who are hungry; and

Whereas, letter carriers last year collected over 72-million pounds of food nationally, and over 300 -thousand pounds locally; and

Whereas, the food given in this food drive will be donated to meet the needs of these people by supplying Second Harvest Food Banks which serve the hungry and the homeless; and

Whereas, this year Minneapolis would like to be ranked number one in the nation by collecting over 1-million pounds of food from postal customers; and

Whereas the City of Minneapolis is proud to thank all those who donate food and the letter carriers who put in the extra effort that makes each year a success;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Saturday, May 8, 1999 is hereby resolved to be the National Association of Letter Carriers' National Food Drive Day in Minneapolis.

Be It Further Resolved that the City Council urges all residents throughout the City of Minneapolis to participate by contributing generously to this important food drive!

Adopted. Yeas, 10; Nays none.

Absent – Herron, Niland.

Passed April 23, 1999. J. Cherryhomes,
President of Council.

Approved April 29, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

UNFINISHED BUSINESS

Sepran Inc, 3948 Nicollet Av: Deny appeal
for nonconforming use certificate to allow gas
station and repair garage, grant appeal for
variance. (Postponed 10/30/98, Z&P)

McDonald moved to continue postponement.
Seconded.

Adopted upon a voice vote.

Campbell moved that when this Council
adjourns, it adjourns to Room 315 City Hall
immediately following the Minneapolis Community
Development Agency Board of Commissioners
meeting, for consideration of the civil litigation
resulting from the police van accident on
December 4, 1998, and that such meeting be and
is hereby declared to be an adjourned session of
the regular meeting of April 23, 1999. Seconded.

Adopted upon a voice vote.

Adjourned.

MERRY KEEFE,
City Clerk.
99-3453